

**IN THE UNITED STATES DISTRICT
COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

MICHAEL ANTHONY KING

PLAINTIFF

v.

CIVIL ACTION NO. 2:11CV00016-WAP-JMV

W. W. GRAINGER, INC.

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

On consideration of the file and record of this action, the court finds that the Report and Recommendation of the United States Magistrate Judge dated September 15, 2011, was on that date duly served upon the parties; that more than fourteen days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by any party. The court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated September 15, 2011, is hereby approved and adopted as the opinion of the court.

2. That the defendant's Motion to Set Aside Jury Trial Setting (# 87) is hereby **DENIED** and that the Motion to Strike Plaintiff's Response to Defendant's Reply in Support of It's Motion to Set Aside Jury Trial Setting (# 109) is **GRANTED**.

THIS, the 18th day of October, 2011.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE